

ILLINOIS POLLUTION CONTROL BOARD  
July 22, 1993

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Petitioner,	)	
	)	
v.	)	AC 92-62
	)	Docket B
BILL HAMMOND,	)	(Administrative Citation)
	)	
Respondent.	)	

OPINION AND ORDER OF THE BOARD (by G. T. Girard):

This matter is before the Board on an administrative citation (AC) filed by the Illinois Environmental Protection Agency pursuant to the Environmental Protection Act. (415 ILCS 5/1 et seq. (1992).) The citation was filed on September 3, 1992, and alleges that respondent, Bill Hammond violated Section 21(p)(1) of the Act by causing or allowing open dumping of waste resulting in litter, and Section 21(p)(3) by causing or allowing open dumping of waste resulting in open burning.

Respondent filed a petition for review with the Board on September 18, 1992. A hearing was held on November 17, 1992, in the Canton City Hall, Canton, Illinois, at which no members of the public were present. On April 22, 1993, the Board issued an order finding that the cited violation had occurred and imposed a one thousand dollar (\$1,000) fine. The Board also directed the Agency to file an affidavit declaring its hearing costs.

On April 29, 1993, the Clerk of the Board filed an affidavit stating that the Board's hearing costs were nine hundred twelve dollars and fifty cents (\$912.50). The Agency has not filed an affidavit. Therefore, the total hearing costs to be assessed against respondent are nine hundred twelve dollars and fifty cents (\$912.50).

This opinion constitutes the Board's findings of facts and conclusions of law in this matter.

ORDER

1. It is hereby ordered that May 1, 1994<sup>1</sup>, respondent shall, by certified check or money order payable to the

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The Board notes that generally such payments are due within 30 days of the date of the order; however, for the reasons articulated in the April 22, 1993 opinion and order the Board will until May 1, 1994 to make payment for the hearing costs.

State of Illinois, designated for deposit to the General Revenue Fund, pay as compensation for hearing costs incurred by the Board the amount of nine hundred twelve dollars and fifty cents (\$912.50) which is to be sent by First Class mail to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276

2. This docket is hereby closed.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41) provides for the appeal of final Board orders within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements. (See also, 35 Ill. Adm. Code 101.246, Motions for Reconsideration.)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 25th day of July, 1993, by a vote of 7-0.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board